

News from Ed Markey

United States Congress Massachusetts Seventh District

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MARKEY INTRODUCES BILL TO IMPROVE SECURITY FOR TRANSPORT OF EXTREMELY HAZARDOUS MATERIALS

Washington, DC: Representative Edward Markey (D-MA), a senior member of the Select Committee on Homeland Security, today introduced a bill that would require the Department of Homeland Security to impose additional security requirements for shipments of extremely hazardous materials, including re-routing of such shipments around areas that raise particular security concerns whenever possible.

“Enough chlorine to kill 100,000 people in half an hour is often contained in a single rail tanker car going right through crowded urban centers,” said Rep. Markey. “The April 14 hydrochloric acid leak from a train near Sullivan Square station in downtown Boston should be a wake-up call to the Department of Homeland Security, and it should improve security for these dangerous shipments. The leak in Sullivan Square was an accident, but we must take special precautions to prevent the use of chemical tankers as a tool of terrorists,” Rep. Markey said.

Each day hundreds of thousands of shipments of extremely hazardous material travel through densely populated areas and near critical infrastructure. Last year, an Ohio-based Al Qaeda operative was arrested for plotting to collapse a bridge in New York City or derail a train in DC. He has since pled guilty.

The Department of Homeland Security (DHS) is in the process of conducting a vulnerability assessment for extremely hazardous material rail shipments in the Washington, DC area that will serve as a model for a national hazardous materials security plan. In a hearing before the Select Committee on Homeland Security, Deputy Administrator of the Transportation Security Administration Stephen McHale informed Congressman Markey that even after the Department implements its plans, dangerous chlorine shipments will still be allowed to travel as close to the U.S. Capitol Building as depicted in the attached photo.

The bill introduced by Congressman Markey today requires the Secretary of DHS to promulgate regulations that will require:

- physical security measures surrounding shipments of extremely hazardous materials, such as extra security guards and surveillance technologies
- pre-notification of extremely hazardous materials shipments for law enforcement authorities
- coordination between Federal, State and local authorities to create a response plan for a terrorist attack on an extremely hazardous materials shipment
- the use of currently available technologies to ensure effective and immediate communication between shippers of extremely hazardous materials, law enforcement authorities and first responders
- re-routing of shipments of extremely hazardous materials that currently travel through areas of concern (as defined by the Secretary) only if there is a safer route available, and only if the shipment's origination or destination is not located within the area of concern
- training for employees who work with extremely hazardous materials shipments.
- whistleblower protections for those disclosing violations of security rules or regulations.
- civil and administrative penalties for those who fail to comply with the regulations.

“Twenty years ago, a deadly accident at the Union Carbide plant in Bhopal, India resulted in a release of chlorine gas that killed more than a thousand people. We must do everything possible to prevent a similar disaster in the United States that could be triggered by a terrorist attack, instead of an industrial accident,” Rep. Markey concluded.

Rep. Markey's legislation has been endorsed by the Massachusetts Bay Transportation Authority, Greenpeace, Clean Water Action, Friends of the Earth, National Environmental Trust, the Public Interest Research Group, and 15 chemical companies and co-sponsored by 9 Members of the House. The text of the legislation is available at <http://www.house.gov/markey>

